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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/087,746

03/05/2002

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EXAMINER

AHMED, AFFAF

ART UNIT

PAPER NUMBER

3609

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/087,746

Applicant(s)

UENO, TSUKASA

Examiner

Affaf Ahmed

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 03/05/2002
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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Detailed Action

Status of Claims

1. This action is in reply to the Application filed on 03/05/2002.
2. Claims 1-8 are currently pending and have been examined.

Priority

3. Acknowledgement is made of a claim for foreign priority under 35 U.S.C. 119(a)-(d) or (f). All copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

Information Disclosure Statement

4. The Information Disclosure Statement filed on 04/08/2002 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Drawings

5. The drawings are objected to because:
 - They do not include the following reference sign(s) mentioned in the description: figure 1, C1', MT1', C3', BS3'.
 - They do not include the following reference sign(s) mentioned in the description: figure 2, BSI', BS2', BS3', BS4'.

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Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The specification is objected to because the title of the invention is not descriptive.

Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive; preferably from two to seven words may not contain more than 500 characters. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

8. Claim 1 recites the limitation "said signal". There is insufficient antecedent basis for this limitation in the claim.
9. Claim 1 recites the limitation "said networks". There is insufficient antecedent basis for this limitation in the claim.
10. Claim 1 recites the limitation "said communications networks and managing", which is a terminology that is inconsistent with ordinary meaning. For purposes of examination, it was assumed that "managing" was intended to be "tracking".
11. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear where the movement is going and how agent getting the information (mobile or station). An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed (In re Zletz, 13 USPQ2d 1320 (Fed. Cir. 1989)).
12. Claim 1 and 2 recite the limitation "said agent information". There is insufficient antecedent basis for this limitation in the claims.
13. Claim 5 recites the limitation "said memory". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections-35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15. Claims 1-8 are rejected under 35 U.S.C. 102 (e) as being anticipated by Soliman et al., US 7,031,711 B2.

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claims 1 and 8:

With regard to the limitations of:

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- *A plurality of communications networks connected to each other. See at least column 1, lines 16-25.*
- *Wireless base stations for periodically transmitting a signal within a wireless cell, at least one of said wireless base stations being disposed in each of said networks. See at least column 2, lines 9-15.*
- *A mobile terminal for transmitting, when newly receiving said signal, a belonging request to a wireless base station which has transmitted said signal and connecting, when receiving permission for belonging from said wireless base station, said mobile terminal to said wireless base station, thus conducting communications. See at least column 4, lines 45-53.*
- *Agents each for distributing an agent advertisement onto said communications networks and managing, after said mobile terminal receives said agent information, the location of said mobile terminal based on movement information transmitted from said mobile terminal, each of agents being disposed in each of said communications networks. See at least column 6, lines 40-51.*
- *Each of said base stations storing said agent information based on said agent advertisement distributed onto said communications network. See at least column 6, lines 66-67 and column 7, lines 7-13.*
- *Receiving a belonging request from said mobile terminal, and transmitting, when belonging of said mobile terminal is permitted, said agent information to said mobile terminal to be stored, together with said permission for belonging. See at least column 3, lines 24-39 and column 5, lines 27-36.*

Claim 2:

With regard to the limitations of:

- *Agent information comprises said agent advertisement. See at least column 6, lines 40-51.*

Claim 3:

With regard to the limitations of:

- *An agent advertisement filtering circuit for filtering signals on said communications networks and then extracting said agent advertisement. See at least column 2, lines 48-53.*
- *An agent advertisement memory for storing an agent advertisement output from said agent advertisement filtering circuit. See at least column 6, lines 16-18.*
- *A cable network interface circuit for monitoring an agent advertisement distributed on said communications networks and outputting said signals on said communications networks into said agent advertisement filtering circuit. See at least column 3, lines 3-17.*
- *A wireless transmission/reception circuit for being an interface circuit that connects said wireless base station to said mobile terminal by wireless. See at least column 3, lines 18-23.*
- *A transmission/reception switching circuit for changing said wireless transmission/reception circuit to a transmission mode or a reception mode; an agent advertisement transmission circuit for reading, when receiving a notice from said mobile terminal saying that a belonging request has been received, said agent advertisement from said agent advertisement memory, and then transmitting said notice to said mobile terminal via said wireless transmission/reception circuit and via said transmission/reception switching circuit; and a terminal belonging management circuit for notifying, when detecting receiving a belonging request from said mobile terminal, said agent advertisement transmission circuit of the reception. See at least column 3, lines 24-39.*

Claim 4:

With regard to the limitations of:

- *Agent information contains at least an IP address of said agent. See at least column 6, lines 40-51.*

Claim 5:

With regard to the limitations of:

- *A memory for storing said agent information set via said communications networks using a SNMP. See at least column 6, lines 16-18. Further more, above limitation of using SNMP is inherently and an essentially a request-reply protocol running over UDP, though TCP operation is possible.*
- *A cable network interface circuit for outputting said agent information received, to said memory. See at least column 6, lines 16-18.*
- *A wireless transmission/reception circuit being an interface circuit that connects said wireless base station to said mobile terminal by wireless. See at least column 3, lines 18-23.*
- *A transmission/reception switching circuit for switching said wireless transmission/reception circuit to a transmission mode or a reception mode; a transmission circuit for reading, when receiving a notice from a mobile terminal saying that a belonging request has been received, said agent advertisement from said memory, transmitting said notice to said mobile terminal via said wireless transmission/reception circuit and via said transmission/reception-switching circuit; a terminal belonging management circuit for notifying, when detecting receiving a belonging request from said mobile terminal, said transmission circuit of the reception. See at least column 3, lines 24-39 and column 4, lines 4-15.*

Claim 6:

With regard to the limitations of:

- *A wireless transmission/reception circuit being an interface circuit that connects said mobile terminal to said wireless base stations by wireless; See at least column 3, lines 18-23.*
- *A transmission/reception switching circuit being a circuit that switches said wireless transmission/reception circuit to a wireless transmission mode or a wireless reception mode; a belonging processing circuit for transmitting, when receiving a notice saying that signals*

periodically transmitted from a wireless base station have been detected, a belonging request to said wireless base station via said wireless transmission/reception circuit and via said transmission/reception switching circuit; a base station decision circuit being a circuit that detects signals periodically transmitted from a wireless base station belonging to a self station, said base station detection circuit judging, when said signals are not detected, that said self station has moved outside the radio cell of said wireless base station and notifying, when signals periodically transmitted from other wireless base station are detected, said belonging processing circuit of the detection. See at least column 3, lines 24-39.

Claim 7:

With regard to the limitations of:

- An agent connection processing circuit for transmitting, when receiving a notice saying that reception of said agent information has been detected, a movement notice for said agent to a wireless base station via said wireless transmission/reception circuit and via said transmission/reception switching circuit; an agent advertisement reception circuit being a circuit that detects reception of said agent information, said agent advertisement reception circuit notifying, when detecting reception of said agent information, said agent connection processing circuit of the detection, and outputting a request for changing the network setting of a terminal connected to said mobile terminal based on said agent information, to a network setting changing circuit of said terminal. See at least column 6, lines 66-67 and column 7, lines 1-12.*

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Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Jawanda et al., Pat No.; US 6,243,581 teaches Method and System for seamless roaming between wireless communications networks with a mobile terminal.
- Alanara et al., Pat No.; US 5878351 teaches Methods and Apparatus for providing delayed transmission of SMS delivery acknowledgement and SMS messages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Affaf Ahmed whose telephone number is 571-270-1835. The examiner can normally be reached on Monday- Friday 7:30AM- 5:00 PM EST, ALT Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Reagan can be reached on 571-272-6710. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Affaf Ahmed

Patent Examiner

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7/10/07

JAMES REAGAN
SUPERVISORY PATENT EXAMINER
